

CHAPTER 20.92

SITE PLAN REVIEW

Sections:

20.92.010	Purpose
20.92.020	Projects Subject to Site Plan Review
20.92.030	Standards
20.92.040	Application for Site Plan Review
20.92.050	Notice and Public Hearing
20.92.060	Duties of the Planning Commission
20.92.070	Expiration, Time Extension, Violation, Discontinuance, and Revocation
20.92.080	Amendments and New Applications
20.92.090	Rights of Appeal

20.92.010 Purpose

The City Council finds, determines and declares that the establishment of site plan review procedures contained in this section promotes the health, safety, and general welfare of the community by ensuring that:

- A. Development of properties will not preclude implementation of specific General Plan or specific plan district objectives and policies.
- B. The value of property is protected by preventing development characterized by inadequate and poorly planned landscaping, excessive building bulk, inappropriate placement of structures and failure to preserve where feasible natural landscape features, open spaces, and the like, resulting in the impairment of the benefits of occupancy and use of existing properties in such area.
- C. The benefits derived from expenditures of public funds for improvement, acquisition and beautification of streets, parks, and other public facilities are maximized by the exercise of reasonable controls over the layout and site location characteristics of private buildings, structures and open spaces.
- D. Unique site characteristics are protected in order to ensure that the community may benefit from the natural terrain, harbor and ocean, to preserve and stabilize the natural terrain, and to protect the environmental resources of the City.

20.92.020 Projects Subject to Site Plan Review

- A. Site plan review approval shall be required prior to the issuance of a grading permit or a building permit for any new structure, including fences, to be constructed, or existing building to be reconstructed or remodeled to increase the gross floor area by 50 percent or 2,500 square feet whichever is less, or increase the roofline or height for the following:

1. Specific Plans. Projects within the areas designated on the land use plan of the General Plan for the development of a specific plan, for which a specific plan has not been adopted.

Exception: Site plan review shall not be required for construction or alteration of single-family dwellings or duplexes in any residential zone where such development is consistent with the land use designation of the General Plan.

2. SPR Overlay District. Projects within a SPR overlay district.
3. Establishment of Grade. The establishment of grade by the Planning Commission or the City Council in accordance with Section 20.65.030 (B-3).
4. Other Projects. Projects which have been designated for site plan review as a condition of approval for a tentative subdivision map by the Planning Commission or City Council. However, no site shall be subject to site plan review unless the decision-making body finds that one of the criteria established in Section 20.55.030 is met.

20.92.030 Standards

In addition to the general purposes set forth in Section 20.92.010, in order to carry out the purposes of this chapter as established by said section, the site plan review procedures established by this section shall be applied according to and in compliance with the following standards, when applicable:

- A. Sites subject to site plan review under the provisions of this chapter shall be graded and developed with due regard for the aesthetic qualities of the natural terrain, harbor, and landscape, giving special consideration to waterfront resources and unique landforms such as coastal bluffs or other sloped areas; trees and shrubs shall not be indiscriminately destroyed;
- B. Development shall be compatible with the character of the neighborhood and surrounding sites and shall not be detrimental to the orderly and harmonious development of the surroundings and of the City;

- C. Development shall be sited and designed to maximize protection of public views, with special consideration given to views from public parks and from roadways designated as Scenic Highways and Scenic Drives in the Recreation and Open Space Element of the General Plan;
- D. Environmentally sensitive areas shall be preserved and protected. No structures or landform alteration shall be permitted in environmentally sensitive areas unless specific mitigation measures are adopted which will reduce adverse impacts to an acceptable level or the Planning Commission finds that the benefits outweigh the adverse impacts;
- E. No structures shall be permitted in areas of potential geologic hazard unless specific mitigation measures are adopted which will reduce adverse impacts to an acceptable level or the Planning Commission finds that the benefits outweigh the adverse impacts;
- F. Residential development shall be permitted in areas subject to noise levels greater than 60 CNEL only where specific mitigation measures will reduce noise levels in exterior areas to less than 60 CNEL and reduce noise levels in the interior of residences to 45 CNEL or less;
- G. Site plan and layout of buildings, parking areas, pedestrian and vehicular access ways, and other site features shall give proper consideration to functional aspects of site development;
- H. Development shall be consistent with specific General Plan and applicable specific plan district policies and objectives, and shall not preclude the implementation of those policies and objectives;
- I. Development shall be physically compatible with the development site, taking into consideration site characteristics including, but not limited to, slopes, submerged areas, and sensitive resources;
- J. When feasible, electrical and similar mechanical equipment and trash and storage areas shall be concealed;
- K. Archaeological and historical resources shall be protected to the extent feasible;
- L. Commercial development shall not have significant adverse effects on residences in an abutting residential district.

20.92.040 Application for Site Plan Review

- A. Procedure. An application for site plan review shall be filed in a manner consistent with the requirements contained in Chapter 20.90: Application Filing and Fees.
- B. Required Plans and Materials. The following plans and diagrams shall be submitted to the Planning Commission for approval:
 - 1. A plot plan, drawn to scale, showing the arrangement of buildings, driveways, pedestrian ways, off-street parking and off-street loading areas, landscaped areas, signs, fences and walks. The plot plan shall show the location of entrances and exits, and the direction of traffic flow into and out of off-street parking and loading areas, the location of each parking space and loading space, and areas for turning and maneuvering vehicles. The plot plan shall indicate how utility and drainage are to be provided.
 - 2. A landscape plan, drawn to scale, showing the locations of existing trees proposed to be removed and proposed to be retained; and indicating the amount, type, and location of landscaped areas, planting beds and plant materials with adequate provisions for irrigation.
 - 3. Grading plans when necessary to ensure development properly related to the site and to surrounding properties and structures.
 - 4. Scale drawings of exterior lighting showing size, location, materials, intensity and relationship to adjacent streets and properties.
 - 5. Architectural drawings, renderings or sketches, drawn to scale, showing all elevations of the proposed buildings and structures as they will appear upon completion.
 - 6. Any other plans, diagrams, drawings or additional information necessary to adequately consider the proposed development and to determine compliance with the purposes of this chapter.

20.92.050 Notice and Public Hearing

- A. Public Hearings. A public hearing shall be held on all site plan review applications.

B. Required Notice. Notice of such hearing shall be given as follows:

1. Mailed or Delivered Notice.

- a. Residential Districts. At least 10 days prior to the hearing, notice shall be mailed to the applicant and all owners of property within 300 feet of the boundaries of the site, as shown on the last equalized assessment roll or, alternatively, from such other records as contain more recent addresses. It shall be the responsibility of the applicant to obtain and provide to the City a list and postage paid envelopes with the names and addresses of owners as required by this section.
- b. Nonresidential Districts. At least 10 days prior to the hearing, notice shall be mailed to the applicant and all owners of property within 300 feet, excluding intervening rights-of-way and waterways, of the boundaries of the site, as shown on the last equalized assessment roll or, alternatively, from such other records as contain more recent addresses. It shall be the responsibility of the applicant to obtain and provide to the City the names and addresses of owners as required by this section.

2. Posted Notice. Notice shall be posted in not less than 2 conspicuous places on or close to the property at least 10 days prior to the hearing.

3. Published Notice. Notice shall be published in at least one newspaper of general circulation within the City, at least 10 days prior to the hearing.

C. Contents of Notice. The notice of public hearing shall contain:

1. A description of the location of the project site and the purpose of the application;
2. A statement of the time, place, and purpose of the public hearing;
3. A reference to application materials on file for detailed information;
4. A statement that any interested person or authorized agent may appear and be heard.

D. Continuance. Upon the date set for a public hearing before the Planning Commission, the Planning Commission may continue the hearing to another date without giving further notice thereof if the date of the continued hearing is announced in open meeting.

20.92.060 Duties of the Planning Commission

- A. Concurrent Review with Other Applications. Where possible, site plan review shall be combined with review of other project applications such as, but not limited to, General Plan amendments, zone changes, and tentative subdivision maps.
- B. Project Approval. If all applicable standards established by this section are met, the Planning Commission shall approve the development. Conditions may be applied when the proposed development does not comply with applicable standards and shall be such as to bring said development into conformity.

Exception. The City Council shall have final decision-making authority on the applications for site plan review filed concurrently with amendments to the general plan, zoning code, or a planned community development plan or with a development agreement.

- C. If the development is disapproved, the Commission shall specify the standard or standards that are not met.
- D. Report to the City Council. The Planning Director shall report the discussion of the Planning Commission on a site plan review to the City Council at the next regular meeting or within 5 days of the decision, whichever occurs first.

20.92.070 Expiration, Time Extension, Violation, Discontinuance, and Revocation

- A. Expiration. Any site plan review granted in accordance with the terms of this code shall expire within 24 months from the effective date of approval or at an alternative time specified as a condition of approval unless:
1. A grading permit has been issued and grading has been substantially completed; or
 2. A building permit has been issued and construction has commenced; or
 3. A certificate of occupancy has been issued; or
 4. The use is established; or
 5. A time extension has been granted.

In cases where a coastal permit is required, the time period shall not begin until the effective date of approval of the coastal permit.

- B. Time Extension. The Planning Director may grant a time extension for a site plan review for a period or periods not to exceed 3 years. An application for a time extension shall be made in writing to the Planning Director no less than 30 days or more than 90 days prior to the expiration date.
- C. Violation of Terms. Any site plan review granted in accordance with the terms of this code may be revoked if any of the conditions or terms of such site plan review are violated or if any law or ordinance is violated in connection therewith.
- D. Discontinuance. Any site plan review shall lapse if the exercise of rights granted by it is discontinued for 180 consecutive days.
- E. Revocation. Procedures for revocation shall be as prescribed by Chapter 20.96: Enforcement.

20.92.080 Amendments and New Applications

- A. Amendments. A request for changes in conditions of approval of a site plan review, or a change to plans that would affect a condition of approval, shall be treated as a new application. The Planning Director may waive the requirement for a new application if the changes are minor, do not involve substantial alterations or addition to the plan or the conditions of approval, and are consistent with the intent of the original approval.
- B. New Applications. If an application for a site plan review is disapproved, no new application for the same, or substantially the same, the site plan review shall be filed within one year of the date of denial of the initial application unless the denial is made without prejudice.

20.92.080 Rights of Appeal

- A. Appeals. Decisions of the Planning Commission may be appealed to the City Council.
- B. Procedures. Procedures for appeals shall be as prescribed by Chapter 20.95: Appeals.